



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-56689-2024
Date of Decision: 08.04.2025

KULBIR SINGH AND OTHERS

...Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Rahul Garg, Advocate
for the petitioners.

Mr. Satjot Singh Chahal, AAG, Punjab.

Mr. Avinash Singh, Advocate for
Mr. Ravi Kumar, Advocate
for respondent no.2.

TRIBHUVAN DAHIYA, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.90 dated 24.10.2019, registered under Sections 294 and 504 of IPC and Section 67 of IT Act, 2000 (added later on) at Police Station Joga, District Mansa, Annexure P-1, and all consequential proceedings arising therefrom, in view of the compromise, dated 21.08.2024, Annexure P-2, entered into between the petitioners and the complainant to settle their disputes in question.

2. Learned counsel for the petitioners contends that the petitioners and the complainant have settled their disputes by way of compromise dated 21.08.2024, Annexure P-2.

3. As the parties entered into a compromise to resolve their disputes which led to registration of the criminal case, they were directed to



appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard, vide order dated 18.02.2025. Pursuant thereto, a report, dated 28.03.2025, has been received from Judicial Magistrate Ist Class, Mansa, stating that the compromise arrived at between the parties is without any pressure, coercion or undue influence. There is no criminal case pending against the petitioners, nor have they been declared proclaimed person(s).

4. Learned State counsel and learned counsel appearing on behalf of respondent no.2/complainant admit the factum of compromise, and submit that they have no objection to quashing of the FIR on that basis.

5. It has been held by the Supreme Court of India in cases *Gian Singh v. State of Punjab and another*, 2012(10) SCC 303 and *State of Madhya Pradesh v. Laxmi Narayan and others*, (2019) 5 SCC 688, that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner by entering into a compromise. On similar lines is another judgment of the Supreme Court in *Shiji alias Pappu and others v. Radhika and another*, 2012 (1) SCC (Criminal) 101, wherein criminal proceedings for offences under Sections 354 and 394 IPC were quashed since the parties had entered into a compromise and there were no chances of conviction.

6. Further, reference can also be made to Full Bench judgment of this Court in *Kulwinder Singh and others v. State of Punjab and another*, 2007(3) R.C.R.(Criminal) 1052, holding that on the parties settling their disputes by way of a compromise, the High Court in exercise of power under



Section 482 Cr.P.C. can allow the compounding of non-compoundable offences also, and quash the criminal proceedings to prevent abuse of the process of law or otherwise to secure the ends of justice. The power is not confined to matrimonial disputes alone.

7. A perusal of the allegations in the FIR as well as the aforesaid report establishes that the present case is of predominantly private nature and falls in the category of cases that can be quashed by the High Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C., as per law laid down in the aforementioned judgments. The petitioners have no criminal antecedents. The offences alleged are not heinous in nature and cannot be termed as crime against the society; nor do they show mental depravity of the petitioners. Since disputes between the parties have been amicably resolved by way of the compromise, continuation of criminal proceedings will be an exercise in futility as chances of ultimate conviction are not there, and it will hamper their peaceful coexistence even after resolution of disputes.

8. Consequently, this petition is allowed. FIR No.90 dated 24.10.2019, registered under Sections 294 and 504 of IPC and Section 67 of IT Act, 2000 (added later on) at Police Station Joga, District Mansa, and all consequential proceedings arising therefrom are hereby quashed *qua* the petitioners.

(TRIBHUVAN DAHIYA)
JUDGE

08.04.2025

Ad

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*